

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

FTX TRADING LTD., *et al.*¹

Debtors.

Chapter 11

Case No. 22-11068 (JTD)

(Jointly Administered)

Ref. Nos. 8048, 9547, 9883, 13627, 14817, 15269

**ORDER AMENDING THE
COST OF THE EXAMINATION AND PERMITTING THE FILING OF CERTAIN
INFORMATION REGARDING POTENTIAL PARTIES IN INTEREST UNDER SEAL**

Upon the motion (the “Motion”)² of the examiner Robert J. Cleary (the “Examiner”) for entry of an order (this “Order”) amending the *Order (I) (A) Establishing the Scope, Cost, Degree, and Duration of the Examination and (B) Granting Related Relief; and (II) Permitting the Filing of Certain Information Regarding Potential Parties in Interest Under Seal*, ECF No. 9883 (the “Examination Scope Order”) to amend the cost of the Examination and permit the filing of the Report initially under seal; this Court having jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012; and this Court being able to issue a final order consistent with Article III of the United States Constitution; and venue of these Chapter 11 Cases and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this matter being a core proceeding pursuant to 28

¹ The last four digits of FTX Trading Ltd.’s and Alameda Research LLC’s tax identification number are 3288 and 4063 respectively. Due to the large number of debtor entities in these Chapter 11 Cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.ra.kroll.com/FTX>. The principal place of business of Debtor Emergent Fidelity Technologies Ltd is Unit 3B, Bryson’s Commercial Complex, Friars Hill Road, St. John’s, Antigua and Barbuda.

² Capitalized terms not otherwise defined herein are to be given the meanings ascribed to them in the Motion.

U.S.C. § 157(b); and this Court having found that proper and adequate notice of the Motion and the relief requested therein has been provided in accordance with the Bankruptcy Rules, and that, except as otherwise ordered herein, no other or further notice is necessary; and this Court having considered the *Media Intervenors' Objections to Examiner's Motion to Amend Order (I) (A) Establishing the Scope, Cost, Degree, and Duration of the Examination and (B) Granting Related Relief; and (II) Permitting the Filing of Certain Information Regarding Potential Parties in Interest Under Seal*, ECF No. 14817 and the *Reply in Support of Motion to Amend Order (I) (A) Establishing the Scope, Cost, Degree, and Duration of the Examination and (B) Granting Related Relief; and (II) Permitting the Filing of Certain Information Regarding Potential Parties in Interest Under Seal*, ECF No. 15269; and the Examiner, the Debtors, the Committee, and the U.S. Trustee having all agreed that no redactions to the Report are required; and all objections to the Motion having been withdrawn, resolved or overruled on the merits; and this Court having found and determined that the relief set forth in this Order is in the best interests of the Debtors and their estates; and that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor;

IT IS HEREBY ORDERED THAT:

1. The Motion is GRANTED as set forth herein.
2. Except as explicitly set forth herein, the Examination Scope Order remains in full force and effect.
3. The cost of the Examination shall not exceed \$2,500,000 for the fees of the Examiner and professionals retained by the Examiner through May 28, 2024. This is without prejudice to the Examiner's right to seek an increase in the budget for cause shown, after notice and an opportunity for parties in interest to be heard. The fees and expenses of the Examiner and any professionals retained by the Examiner shall be subject to 11 U.S.C. § 330.

4. The Examiner shall file his report (the “Report”) on May 20, 2024. The Report shall initially be filed under seal in its entirety. The Court, counsel to the Debtors, counsel to the Committee, and the U.S. Trustee shall receive the unredacted Report solely for the purpose of allowing the Examiner, the Debtors, the Committee, and the U.S. Trustee (each a “Party” and collectively the “Parties”) to discuss any potential redactions necessary to protect privileged information.

5. To the extent the Parties do not seek to redact any portion of the Examiner’s Report, then the Examiner shall file on the public docket a fully unredacted version of the Report promptly following entry of this order. For the avoidance of doubt, the disclosure of the unredacted version of the Report to the Parties for purposes of identifying potential privilege redactions shall neither constitute nor be deemed a waiver by any Party of, as applicable, work-product protection, attorney-client privilege, or any other applicable privilege or protection.

6. For the avoidance of doubt, the citation or quotation by the Examiner in his Report to or of any documents or information that were provided to the Examiner and designated as privileged or work product by the Producing Party pursuant to the Examiner Scope Order shall neither constitute nor be deemed a waiver of any applicable privilege.

7. The Examiner may take all actions necessary to effectuate the relief granted by this Order.

8. This Order shall be effective and enforceable immediately upon entry.

9. The Court shall retain jurisdiction with respect to all matters arising from or related to the implementation of this Order.

Dated: May 23rd, 2024
Wilmington, Delaware


JOHN T. DORSEY
UNITED STATES BANKRUPTCY JUDGE